

### REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed December 5, 2005. At the time of the Office Action, Claims 11 and 14-23 were pending in this Application. Claims 11 and 14-23 were rejected. Claims 1-10 and 12-13 were previously cancelled by Applicants without prejudice or disclaimer. Claim 24 is hereby added. Claims 11, 20, and 22 have been amended to further define various features of Applicants' invention. Claim 15 has been amended to correct a minor typographical error. Applicants respectfully request reconsideration and favorable action in this case.

#### Rejections under 35 U.S.C. § 102

Claims 11 and 14-23 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 4,037,087 issued to John G. Foulds ("Foulds"). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the claimed embodiment of the invention.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1997). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the cited art as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

In response, claims 11 and 20, herein amended recite "a decentralized peripheral connected to the automation device via the bus system between the drive system and the automation device." Claim 22 recites a similar limitation. The '087 patent fails to disclose any devices between the drive system and the speed and screwdown controllers. Thus, the cited art does not teach all of the elements of the claimed embodiment of the invention.

Claim 24 further recites that "the operator-control computer comprises a central operator-control computer and a decentralized operator-control computer, and wherein the central and decentralized operator-control computers are connected to a standard ethernet

bus, wherein the standard ethernet bus is connected via a computer to the at least one bus system for the transmission of operating parameters and/or program code from the commissioning computer to the at least one component comprising the drive system and the automation device.” Claim 24 is patentable for the additional reason that the cited art does not teach all of the elements of the claimed embodiment of the invention.

**Association of Customer Number and Change of Correspondence Address**

Applicants respectfully request that all papers pertaining to the above-captioned patent application be associated with Customer No. **31625**, and direct all correspondence pertaining to this patent application to practitioners at Customer Number **31625**. All telephone calls should be directed to R. William Beard, Jr., at 512.322.2690.

**CONCLUSION**

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2690.

Respectfully submitted,  
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Date: February 2, 2006

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